

## REMARKS

The following remarks are responsive to the Office Action of July 26, 2004.  
Reconsideration of the application and a notice of allowance are respectfully solicited.

Claims 2 and 4 and new claim 6 are now in this application.

For convenience of the Examiner, APPENDIX 1 is provided herewith having a complete set of pending claims with all amendments effected therein.

### Claim Objections

Claims 2-4 are objected to because the word "mixed the mixture" is not clear.  
Claim 3 is now canceled. Claims 2 and 4 are amended herein so as to overcome the claim objection.

### Claim Rejections-35 U.S.C. §112

Claims 1-5 are rejected under 35 U.S.C. §112, as being indefinite. Claims 1 and 3 are cancelled. Claims 2 and 4 are amended to remove the words "and the like" noted by the Examiner.

In view of the changes to the claims, it is respectfully submitted that the Examiner's rejection of claims 1 to 5 under 35 U.S.C. §112 has been overcome and should be removed.

#### Claim Rejections-35 U.S.C. §103

Claims 1, 3 and 5 are rejected under 35 U.S.C. §103(a), as being unpatentable over Japanese reference 5-96276 in view of Japanese reference 2003-275084.

Claims 1, 3 and 5 are cancelled herein without prejudice, rendering the basis of its rejection moot.

Therefore, the Examiner's rejection of the claims 1, 3 and 5 has been overcome and should be removed.

#### Allowable Subject Matter

The Examiner noted that claims 2 and 4 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, second paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims.

Therefore, claims 2 and 4 are rewritten to overcome the Examiner's rejection, that is, claims 2 and 4 are rewritten to include the all of the limitations of the claim 1 cancelled as the Examiner proposed.

#### New Claim

Claim 6 is added. Claim 6 relates to additional feature of the pipe of claims 2 and 4 as described in the specification. Claim 6 is also dependent claim of claims 2 and 4.

No new matter is introduced by the presentation of claim 6 nor is any fee due.

In light of the foregoing, I am now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,

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Encl: Appendix 1



## APPENDIX 1

### ALL PENDING CLAIMS WITH AMENDMENTS EFFECTED THEREIN

2. (Currently Amended) A pipe for water pipe and the like comprising:

a pipe body which is used for one of a water pipe, a supply-pipe and a drainage pipe; and

a mixed layer, providing at an inner surface of the pipe body, the mixed layer including a mortar layer and a resin layer and being mixed a mixture which includes one of a powder of tourmaline ore, a granite and a charcoal grain powder with effects for far-infrared ray and anion.

4. (Currently Amended) A pipe for water pipe and the like comprising:

a pipe body which is used for one of a water pipe, a supply-pipe and a drainage pipe; and

a mixed layer, providing at an inner surface of the pipe body, the mixed layer including a resin layer and being mixed a mixture which includes one of a powder of tourmaline ore, a granite and a charcoal grain powder with effects for far-infrared ray and anion.

6. (New) A pipe for water pipe and the like according to any of claim 2 and 4, wherein the pipe body is made of a synthetic resin which is added the mixture.